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UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

GOLIGHTLY & VANNAH, PLLC

Plaintiff,

vs.

HAL HAMLETT, an individual; JESSICA
HAMLETT, an individual; JAIDYN
HAMLETT, a minor; JONATHAN HOLLAND,
a minor; REGIONAL EMERGENCY
MEDICAL SERVICE AUTHORITY;
CHRISTIAN PURGASON, D.O., dba
NORTHERN NEVADA EMERGENCY
PHYSICIANS; TJ ALLEN, LLC; RENOWN
REGIONAL MEDICAL CENTER; RENO
ORTHOPAEDIC CLINIC, LTD., DR.
CHRISTENSEN; RENO RADIOLOGICAL
ASSOCIATES, CHARTERED; ROBERT G.
BERRY, JR., M.D. PROFESSIONAL
CORPORATION dba ORTHOPEDIC
REHABILITATION SPECIALISTS OF NV;
UNIVERSAL SERVICES, INC.; OPERATING
ENGINEERS FUNDS, INC. dba OPERATING
ENGINEERS HEALTH & WELFARE TRUST
FUND; THE RAWLINGS COMPANY, LLC;
DOE Defendants I through X; ROE
CORPORATION Defendants XI through XX,

Defendants.

Case No: 3:16-cv-00144-MMD-VPC

**DEFENDANT UNIVERSAL SERVICES,
LLC'S MOTION TO DISBURSE
INTERPLEADER FUNDS AS TO
DEFENDANT JESSICA HAMLETT
ONLY**

**DEFENDANT UNIVERSAL SERVICES, INC.'S MOTION TO DISBURSE
INTERPLEADER FUNDS AS TO DEFENDANT JESSICA HAMLETT ONLY**

Defendant, Universal Services, Inc. (hereinafter "USI") by and through its attorneys of record, Mark J. Bourassa, Esq. and Trent L. Richards, Esq. of The Bourassa Law Group, hereby moves this Court to enter an Order disbursing interpleader funds as to Defendant Jessica Hamlett only. This Motion is made pursuant to Federal Rule of Civil Procedure 22, the accompanying memorandum of Points and Authorities, any exhibits attached hereto, the pleadings and documents on file herein, and any oral argument at a hearing on the matter.

DATED this 10th day of October, 2016.

THE BOURASSA LAW GROUP

/s/ Mark J. Bourassa, Esq.
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I. PROCEDURAL HISTORY

On August 2, 2013, Defendant Jessica Hamlett was injured in an automobile collision caused by one David Howard. Plaintiff, Golightly & Vannah, PLLC settled Jessica Hamlett's claim(s) in the total amount of \$11,240.00.

Purportedly Defendant Jessica Hamlett's medical providers relating to the automobile collision would not accept a proposed settlement regarding the disbursement of the settlement proceeds, thus this Interpleader was necessary to prevent Plaintiff from being liable to any one medical provider.

Plaintiff filed a Complaint in Interpleader in the Second Judicial District Court on March 24, 2016. On or about March 15, 2016, the case was removed to the United States District Court, District of Nevada.

II. FACTS

Plaintiff initially was retained by Defendant Jessica Hamlett in response to the accident. The retainer agreement purportedly provides that Plaintiff shall recover thirty-three and one third percent (33 1/3%) of the settlement proceeds plus costs of litigation.¹ Therefore, in the event the attorney lien is valid, Plaintiff is entitled to \$3,746.67 for attorney fees and \$180.00 in costs, for a total of \$3,926.67 as it relates to Jessica Hamlett.

Jessica Hamlett's original medical bills relating to the subject accident totaled as follows, along with an indication as to whether each Defendant filed an Answer or was defaulted:

Defendant	Amount	Answer or Default
Jessica Hamlett		Answered
Christian Purgason, D.O. dba Northern Nevada Emergency Physicians	\$2,185.00	Defaulted
TJ Allen, LLC	\$2,255.00	Answered
Regional Emergency Medical Service Authority	\$1,093.00	Defaulted
Reno Orthopaedic Clinic LTD.,	\$1,728.00	Defaulted
Reno Radiological Associates, Chartered	\$945.45	Defaulted
Robert G. Berry, Jr. M.D. ProceSSIONal Corporation dba Orthopedic Rehabilitation Specialists of NV	\$884.00	Defaulted
Universal Services, Inc.	\$1,728.00	Answered
The Rawlings Company	\$27,303.05	Disclaimed Interest

III. ANALYSIS

Defendant USI proposes the following breakdown in distribution of the \$11,240.00 which Jessica Hamlett recovered in her personal injury claim:

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¹ For purposes of this instant Motion only, Defendant assumes that the Plaintiff's attorney lien is valid.

a. Golightly & Associates:

1/3 of settlement proceeds (Retainer Agreement)	\$3,746.67
Costs	<u>\$ 180.00</u>
Total due Golightly & Associates:	\$3,926.67
Amount remaining to be disbursed to answering defendants:	\$7,313.33

b. Medical Providers Who Filed Answer in This Matter:

(In full satisfaction of medical bills for Jessica Hamlett)

TJ Allen, LLC	\$2,255.00
Universal Services, Inc.	<u>\$1,728.00</u>

Total due Answering Medical Providers \$3,983.00

Amount remaining to be disbursed to Jessica Hamlett \$3,330.33

IV. CONCLUSION

Defendant Universal Services, Inc. believes the above-proposed disbursements are fair and equitable. USI therefore requests that this Honorable Court order the total recovery as to Defendant Jessica Hamlett of \$11,240.00 be disbursed as follows:

1. Golightly & Associates	\$3,926.67
2. TJ Allen, LLC	\$2,255.00
3. Universal Services, Inc.	\$1,728.00
4. Jessica Hamlett	\$3,330.33

DATED this 10th day of October, 2016.**THE BOURASSA LAW GROUP**/s/ Mark J. Bourassa, Esq.

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Attorneys for Universal Services, Inc.

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the foregoing **UNIVERSAL SERVICES, INC.'S MOTION TO DISBURSE INTERPLEADER FUNDS AS TO DEFENDANT JESSICA HAMLETT ONLY** was filed via the Court's electronic filing service and available for downloading on the court's CM/ECF website.

The undersigned further certifies that a true and correct copy of the aforementioned document was served by mailing a copy thereof, first class mail, postage prepaid, this 10 day of October, 2016 as follows:

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/s/ Hilary Daniels
An employee of
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